

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12433, of Dr. Sydney Gordon, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to establish a high school for fifty students (the Cromwell Academy) in the R-1-B District at 5510 16th Street, N. W., (Square W-2720, Lots 29, 30, 31, 32 and 33.)

HEARING DATE: June 28, 1977

DECISION DATE: July 12, 1977

FINDINGS OF FACT:

1. The subject property is located at the southwest corner of the intersection of 16th and Longfellow Streets, N. W.

2. At the time that the application was filed, Dr. Sydney Gordon owned the subject property. At the time of the hearing, Ms. Ruby Woodson owned the subject property and was the applicant.

3. The applicant did not comply with Section 3.33 of the Supplemental Rules of Practice and Procedure which required that notice of the application and hearing be posted on the subject property at least ten days in advance of the hearing, and that the applicant file with the Secretary of the Board a sworn affidavit demonstrating compliance with this rule. At the hearing, the applicant testified that she did not understand the requirements of this rule. The Board noted that nineteen people were in the audience with respect to this application. It was suggested by a Board member that this number of citizens in attendance demonstrated that there was in fact actual notice of the application and hearing. After hearing comments from members of the audience, the Board concluded that there was actual notice of the application and hearing. Under Section 1.3 of the Rules, the Board determined to waive Section 3.33 of the Rules and proceeded with the hearing.

4. The applicant proposes to locate the Cromwell Academy, a private high school for fifty (50) students, ages 13 thru 18, in a 3-story one-family detached dwelling which

occupies the northern portion of the subject property. The southern portion of the property is enclosed by a chain link fence and is unimproved.

5. The premises was previously used as a dentist's office.

6. Section 3101.42 of the Zoning Regulations, permits private schools in residential districts provided the school is not likely to become objectionable to adjoining or nearby property because of noise, traffic and number of students. Parking must be provided as indicated by Article 72 which requires two spaces for each three teachers and one for each 20 classroom seats.

7. The R-1-B District is designed for the protection of quiet, low density residential areas. The district is also designed to stabilize such areas and promote an environment suitable for family life. The Zoning Regulations permit only a few additional uses if compatible with a low density residential environment.

8. The proposed high school, the Cromwell Academy, operated at Peoples Congregational United Church of Christ, at 4704 13th Street, N. W. from 1973 to 1976. This location was vacated because of a lack of space. The high school operated at Sixth Presbyterian Church at 16th and Kennedy Streets, N. W., one block south of the subject site, during the 1976 - 1977 school year but has also been vacated because of a lack of space.

9. The proposed high school would have six or seven faculty members, one staff person and one live-in caretaker. No more than sixty (60) people at one time could be comfortably accommodated in the school building. There will be no eating facilities on the premises.

10. Six unpaved off-street parking spaces are provided at the rear of the subject property and two spaces are located in a garage. The parking area is accessible only via a dead-end alley entering through Kennedy Place, N. W.

11. Minor alterations of the school building are necessary but no structural changes have to be made.

12. The subject property is 17,893 square feet in area and is bounded on the west by a single family detached dwelling and a public alley; on the south by a single family detached dwelling; on the east by 16th Street, N. W.; and on the north by Longfellow Street, N. W.

13. The neighborhood surrounding the subject property is predominantly used for low density single family dwellings. There are no commercial facilities in the vicinity. The east-west streets dead end into Rock Creek Park which is located one block west and south of the subject property. The Carter Barron recreational center begins one block to the south.

14. Sixteenth Street is a five lane major arterial street which according to the D. C. Government of Transportation carried 32,700 vehicles per day in 1974. During the morning rush hour, three lanes carry traffic southbound. During this period local and express buses travel along the curb lane and parking is prohibited. Longfellow Street, west of 16th Street is a dead end.

15. The Municipal Planning Office, by report dated June 10, 1977 and by testimony presented at the hearing, recommended that the application be denied. The Municipal Planning Office stated that to locate a school at the requested location would subject the children to possible unsafe conditions and impose upon the immediate street additional activities that would adversely affect the stability of the neighborhood because of the additional noise, pollution, and street congestion. Specifically, the Municipal Planning Office was concerned with the location of this proposed school being on a heavily traveled arterial street without adjacent off-street parking and driveways and the possibility of vehicles stopping in the traffic lanes and inhibiting turns onto Longfellow Street. The Municipal Planning Office believes that this could create disruptions to the flow of peak traffic and also constitute a potential hazard for the children coming to school. Vehicles entering the dead-ended Longfellow Street, and Kennedy Place from 16th Street, could congest these streets beyond the normal level of a residential street, creating additional noise and air pollution.

16. The Advisory Neighborhood Commission 4-A, by resolution adopted June 15, 1977 and presented at the hearing opposed the application citing the potential for increased traffic congestion, noise, and trash accumulation.

17. Citizens for the Preservation of Neighborhoods, by testimony, opposed the application citing the problems of traffic congestion and noise.

18. Neighbors, Inc., by testimony, opposed the application, citing the problems of traffic congestion and noise.

19. A substantial number of residents of the neighborhood

of the subject property opposed the application for the same reasons enunciated by the Municipal Planning Office and the Advisory Neighborhood Commission 4-A.

20. On March 8, 1977, the Board, under application number 12343 denied the application of the Sixteenth Street Baptist Church for a special exception to establish a private elementary school for thirty (30) students in grades Kindergarten thru sixth at the premises 5800 16th Street, N. W., approximately two blocks north of the subject property in this application.

CONCLUSIONS OF LAW AND OPINIONS:

The Board concludes that the proposed high school does not meet the criteria of the Zoning Regulations as specified in Paragraph 3101.42 and Sub-section 8207.2. The Board further concludes that the proposed high school would not be in harmony with the intent and purposes of the R-1-B District, which is designed to protect quiet residential areas now developed with single-family detached dwellings. The introduction of a school with fifty students would request a relatively large institution in a neighborhood which should be protected. The Board concludes that the negative consequences of this school at this location of traffic and noise, and the establishment of a non-residential use at this site all would negatively impact neighboring properties. The Board further concludes that the school would further congest traffic on a major arterial street and could constitute a potential hazard for the students, pedestrians and vehicle occupants. The Board further gives great weight to the recommendation of the Advisory Neighborhood Commission, which stated as the representatives of the area that the application should not be approved. It is therefore ORDERED that the application be DENIED.

VOTE: 5-0 (Charles R. Norris, Ruby B. McZier,
Leonard L. McCants, William F.
McIntosh and Chloethiel Woodard Smith).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 26 AUG 1977